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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Boon-Lock Yeo

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EXAMINER

RAMAN, USHA

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/670,865	YEO ET AL.	
	Examiner	Art Unit	
	Usha Raman	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 21-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Arguments***

1. Applicant's arguments with respect to claim 21, 25, 20 and 36 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 33 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 33 recites the limitations "writing selected frames..." and "reading said selected frames...", steps that are recited after "simultaneously displaying the summary frames". The claims are rendered indefinite because the flow of the claim language suggests that the writing steps and the read steps occur after the display steps, thus rendering the writing and the reading moot. Therefore, it remains unclear when exactly the writing and the reading steps should take place: i.e. the transmission step, the reception step or the displaying step. Applicant is requested to clarify the claim language in order to indicate the correct placement timing of the said writing and reading steps.

***Allowable Subject Matter***

4. Claim 33 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

***Claim Rejections - 35 USC § 103***

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 21, 23-24, 30, 32, 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (US Pat. 6,732,369).

Regarding Claim 21, Schein discloses a video viewing system comprising means for selecting a programming channel containing a video program in progress (See Figure 16A) and a display screen for viewing a full screen display of a video program in progress (See Figure 1, (32), Figure 17A, and column 23, lines 23-26). Schein also discloses windows (See Figure 16A, 526 and 528; Figures 17B, 17C) for displaying the current program and a preview window, which may include a short preview of a show that is currently being highlighted (Col. 22, Lines 50-56). The preview reads on the claimed at least one summary frame also displayed on the display screen along with the video program in progress at a same time when the programming channel is selected (show is highlighted in the EPG matrix). As is well known in the art a preview contains a selection of frames highlighting various scenes throughout the program. This reads on the claimed summary frame comprising a past frame from the video program in progress. It is inherent that the EPG grid would display a listing for the channel currently being watched in order for the user to locate and tune to the channel. Therefore, it would be possible for the user to be

simultaneously tuned to the channel and have it highlighted in the EPG grid in order to receive the program preview in the second window.

While Schein discloses the step of display a preview upon selecting a channel, Schein fails to teach the step of displaying a preview upon changing the programming channel.

Examiner takes official notice that it is well known to broadcast previews after returning from commercial breaks. In such a case, when the viewer changes to that channel at the end of the commercial break, the user is presented with a preview upon changing to that channel.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Schein, by enabling the user to watch a preview of a program, when the user changes to that channel after a commercial break. The motivation is to give the opportunity to the user to recap a program when a user tunes to a program after a commercial break.

Regarding Claim 23, Schein discloses a system as stated above in Claim 21, wherein the summary is a short preview of a show as stated above. This reads on the claimed plurality of summary frames each corresponding to a past frame from the video program in progress.

Regarding Claim 24, Schein discloses a system as stated above in Claim 21, wherein the summary is a short preview of a show as stated above. As is well known in the art, a preview contains a selection of frames highlighting various scenes

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throughout the program. This reads on the claimed at least one preview frame comprising a future frame from the video program in progress.

Regarding Claim 30, Schein discloses a method for informing a viewer of the content of a video program in progress comprising display a short preview of a show that is selected by a user (Col. 22, Lines 50-56). It is inherent that the preview must be created prior to being made available for viewing by the user. This reads on the claimed selecting a plurality of summary frames depicting selected events from a video program. The summary frames are embedded in a window of the video program (See Figure 16A, 528; Figures 17B, 17C). The video program comprising the summary frames is transmitted over a media (Col. 6, Lines 44-55). The video program and summary frames are displayed on a screen at the same time when a viewer selects the video program as stated above in Claim 21.

While Schein discloses the step of display a preview upon selecting a channel, Schein fails to teach the step of displaying a preview upon changing the programming channel.

Examiner takes official notice that it is well known to broadcast previews after returning from commercial breaks. In such a case, when the viewer changes to that channel at the end of the commercial break, the user is presented with a preview upon changing to that channel.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Schein, by enabling the user to watch a preview of a program, when the user changes to that channel after a commercial

break. The motivation is to give the opportunity to the user to recap a program when a user tunes to a program after a commercial break.

Regarding Claim 32, Schein discloses a method as stated above in Claim 30. Schein further discloses viewing the currently tuned channel in one window and the preview of the selected channel in a separate window. It is well known in the art that television programming may contain advertisements, which would subsequently be shown in the display window (526). Schein makes no mention of changes in the programming affecting the playback of the program preview in the separate window. Therefore, this reads on the claimed continuing to display the summary frames (528) when the video program is preempted by an advertisement or other interruption.

Regarding Claim 34, Schein discloses a method as stated above in Claim 30, wherein the step of displaying the video program comprising the summary frames on a screen comprises placing the video program and said summary frames in designated windows on the screen (See Figure 16a).

Regarding Claim 35, Schein discloses a method as stated above in Claim 30, wherein the user is operable to view a preview based on the channel highlighted in the EPG grid (Co1. 22, Lines 50-56). This reads on the claimed video program and the video program in progress are on different channels.

7. Claims 22, 25-29, 31, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (US Pat. 6,732,369) in view of Matthews, III (US Pat. 5,815,145).

Regarding Claim 22, the modified system of Schein discloses a system as stated above in Claim 21. What is not disclosed, however, is that the selection of at least one summary frame displays a video segment on the viewing screen corresponding to the summary frame. Matthews discloses a system for providing a plurality of summary frames (See Figure 4) wherein at least one of the tiles includes a multi-frame video segment (Col. 4, Lines 49-55) that is accessed when a viewer focuses on a tile (Col. 5, Lines 16-45). This reads on the claimed selection of at least one summary frame displaying a video segment corresponding to the summary frame. Matthews is evidence that one of ordinary skill in the art would appreciate the benefits of displaying a still frame and allowing a user to select it in order to receive a video preview. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system of Schein with the still frame linked to a video preview of Matthews in order to save bandwidth by only transmitting video for the still frames a user expresses interest in.

Regarding Claim 25, the modified system of Schein in view of Matthews disclose a user interactive video viewing system comprising a display screen for viewing a full screen display of a video program (see Schein: Fig. 17A), at least one summary frame displayed on the display screen at a same time with a video program (see Schein: figs. 16A, 17B, 17C), the summary frame comprising one of a past or future frame of the program as stated above in Claims 21 and 22. Matthews further discloses a control means (See Figure 3) for allowing a user to change the video program (Col. 4, Lines 35-43) and for allowing the user to select at least one



summary frame to play at least a segment of the video program corresponding to the summary frame (Col. 4, Lines 49-55 and Col. 5, Lines 16-46).

Regarding Claim 26, the modified system of Schein in view of Matthews disclose a system as stated above in Claim 25. Schein further discloses that the system comprises a television system (Col. 5, Line 61).

Regarding Claim 27, the modified system of Schein in view of Matthews disclose a system as stated above in Claim 26. Schein discloses viewing the currently tuned channel in one window and the preview of the selected channel in a separate window. It is well known in the art that television programming may contain advertisements, which would subsequently be shown in the display window (526). Schein makes no mention of changes in the programming affecting the playback of the program preview in the separate window. Therefore, this reads on the claimed continuing to display the summary frames (528) when the video program is preempted by an advertisement or other information.

Regarding Claim 28, the modified system of Schein in view of Matthews disclose a system as stated above in Claim 26. Schein further discloses an exit area that allows a viewer to exit back to the television (Col. 22, Lines 48-50). This reads on the claimed user being able to delete the summary frames from the display screen.

Regarding Claim 29, the modified system of Schein in view of Matthews disclose a system as stated above in Claim 25. Schein further discloses a client system (Col. 5, Lines 29-34) coupled to a remote server (Col. 5, Lines 3-8).

Regarding Claim 31, the modified system of Schein discloses a method as stated above in Claim 30. Schein also discloses exiting the EPG to return to television view as stated above in Claim 28. This reads on the claimed resuming the video program when the video segment has finished. What is not disclosed, however, is displaying a video segment corresponding to a particular summary frame when the summary frame is selected by a viewer. Matthews discloses a system for providing a plurality of summary frames (See Figure 4) wherein at least one of the tiles includes a multi-frame video segment (Col. 4, Lines 49-55) that is accessed when a viewer focuses on a tile (Col. 5, Lines 16-45). This reads on the claimed selection of at least one summary frame displaying a video segment corresponding to the summary frame. Matthews is evidence that one of ordinary skill in the art would appreciate the benefits of displaying a still frame and allowing a user to select it in order to receive a video preview. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Schein with the still frame linked to a video preview of Matthews in order to save bandwidth by only transmitting video for the still frames a user expresses interest in.

Regarding claim 36, the limitations of the claim have been discussed with regards to Claims 21-24.

### ***Conclusion***

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cato (US Pat. 6,412,111) discloses that it is well known to broadcast previews after a commercial break. See column 3, lines 20-24.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (571) 272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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